DAVID SENICK UNITED STATES DISTRICT COURT

1637 SUGAR LAWE MIDDLE DISTRICT OF PENUNSYLVANIA

KUNKLETOWN PA. 18058 CIVIL ACTION

PLAINTIFE

CASE NUMBER: 3:21 CV 1439

NEW REZ LLC OBA

SHELLPOINT MORTGREE SERVICES NOTICE OF REMOVAL FROM

5225 CROOKS ROAD DISTRICT COURT 43-3-04 OF

TROY MICHIGAN 48098-2823 MONBOE COUNTY

DEFENDANT

PLAINTIFFS NOTICE OF REMOVAL

PLAINTIFF, DAVID SEWICK BY AND THROUGH HIMSELF PRO-SE HEREBY GIVES NOTICE OF REMOVAL OF THIS ACTION TO THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENWSYLVANIA, PURSUANT TO 28 U.S.C. ES 1331 AND 1441(a). AS STATED BELOW, PLAINTIFF ASSERTS CLAIMS UNDER FEDERAL LAW, ALONG WITH OTHER CLAIMS. SUCH AS THE TELEPHONE CONSUMER PROTECTION ACT (TCPA), 47 U.S.C. \$ 227, AND THE FAIR DEBT COLLECTION PRACTICES ACT (FOCPA) IS U.S.C. ES 1692 et seq. THEREFORE, FEDERAL QUESTION JURISDICTION EXISTS HERE.

BACK GROUND

I. PLAINTIFF, DAVID SENICK FILED A COMPLAINT AT THE DISTRICT COURT 43-3-04 HONORABLE COLLEEN MANCUSD, ROUTE ROY-8 WITE 101 P.O. BOX 218, BROADHEADSVILLE PA. 18322 ON OR ABOUT JULY 21, 2021 CASE NO.CY - 247-21 AGRINST DEFENDANT NEWREZ LLC SHEUPOINT MORTGAGE SERVICES 5225 CROOKS RD TROY MICHIGAN 48098-2823

A TRUE AND CORRECT COPY OF THE COMPLAINT IS ATTACHED
HERETO AS EXHIBIT A AND INCOAPORATED HEREIN BY REFERENCE.

OF THE TOPA AND FOCPA, AS WELL AS FOR BREACH OF CONTRACT.

3. DEFENDANT HAS BEEN PROPERLY SERVED BY THE DISTRICT COURT, ON OR ABOUT AUGUST 3, 2021. A TRUE AND CORRECT COPY OF CERTIFIED MAILING IS ATTACHED HERETO AS EXHIBIT B.

JURISDICTIONAL BASIS FOR REMOVAL

4. PLAINTIFF, ASSERTS THAT SHELLPOINTS CONDUCT VIOLATED
FEDERAL LAW — THE TCPA, 47 U.S.C. \$ 227 AND THE FOCPA, IS U.S.C. \$ \$
1692, et seq. SEE GENERALLY COMPL

5. THEREFORE, THIS ACTION IS REMOVABLE TO THIS COURT PURSUANT
TO 28 U.S.C. \$ 1441(A) BECAUSE CLAIMS ASSERTED BY PLAINTIFF

ARISE UNDER THE LAWS OF THE UNITED STATES, AND SUCH CLAIMS ARE
WITHIN THE ORIGINAL JURISDICTION OF THIS COURT UNDER

28 U.S.C.\$ 1331.

6. ADDITIONALLY, THE COURT HAS SUPPLEMENTAL JURISDICTION
OUER ANY STATE LAW CLAIMS, TO THE EXTENT ANY SUCH CLAIM
EXISTS. 28 U.S.C. ? 1367.

VENUE

T. YENUE IS PROPER IN THIS COURT PURSUANT TO 28 U.S.C. SIYUI

(A) AND IYYG (A) BECAUSE THE UNITED STATES DISTRICT COURT FOR

THE MIDDLE DISTRICT OF PENNISYLVANIA EMBRACES THE PLACE

WHERE THIS ACTION IS PENDING, MAGISTERIAL DISTRICT COURT 43-3-04

BROADHEADSVILLE PA. OF MONROE COUNTY

TIMELINESS OF REMOVAL

8. THE COMPLAINT WAS FILED ON JULY 21, 2021

9. THE DEFENDANT HAS BEEN SERVED AS THE SAME ONTE OF
THIS NOTICE OF REMOVAL.

PROCEDURAL REQUIREMENTS AND LOCAL RULES

10. THE NOTICE OF REMOVAL IS SIGNED PURSUANT TO FED. R. C.IV.
P. II. SEE 28 U. S. C. & 1446 (A)

II. AS REQUIRED BY 28 U.S.C. & IYY6(D) COPIES OF THIS DOTICE

ARE BEING SERVED ON DEFENDANT, AS WELL AS DISTRICT COURT 43-3-04.

WHEREFORE, PLAINTIFF HEREBY REMOVES THE ABOVE-CAPTION ED

ACTION NOW PENDING BEFORE MAGISTERIAL DISTRICT COURT 43-3-04.

TO THE UNITED STATES DISTRICT COURT FOR THE MINDLE DISTRICT

OF PEN WSYLVANIA, AND REQUEST THAT THIS COURT ASSUME FULL

JURIS DICTION OVER THIS CASE AS PROVIDED BY LAW.

DATED: AUGUST 16, 2021

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David Servick
DAVID SERVICK
1637 SUGAR LANE
KUNKLETOWN PA. 1805B
610-330-9015

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I HEREBY CERTIFY THAT ON AUGUST 16, 2021, I CAUSED A COPY OF

THE FOREGOING NOTICE OF REMOVAL TO BE SERVED BY CERTIFIED

MAIL, AND OR PRIORTY MAIL, UPON THE FOLLOWING:

NEWREZ LLC

SHELLPOINT MORTGHGE SERVICES

5225 CAOOKS ROAD

TROY MICHIGAN M8098-2853

BY DAVID SEWICK PRO-SE
1637 SUGAR LAWE

KUNKLETOWN PA. 18058

610-330-9015

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David Senik 1637 SUGAR LN KUNKLETOWN PA 18058-7966

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